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Disability

Disability is a very real prospect for all of us, living as we do in a world driven by the forces of nature and subjected to such diverse threats as accidents and terrorism. Disability can be defined as the impact of impairment on a person's ability to meet the demands of his or her life. It can be temporary or permanent, partial or total. It is something most people do not even like to think about, but the probability of someone becoming disabled is far greater than what most people would actually realize. Studies show that a 20-year-old worker has a 3 in 10 chance of becoming disabled before reaching retirement age. According to an estimate, about 41.3 million Americans have some level of disability.

Disability limits a person's ability, both directly and indirectly, to engage in normal life experiences. While the direct effects are fairly easy to identify, the indirect repercussions are often quite difficult to identify or compensate for. For example, a disability can make getting an education more difficult, so that some people with no intellectual or cognitive disability still may be less educated than others. Depending on the disability, and access to support, other indirect effects can include reduced mobility, limited social access, more difficulty finding a job (or being able to get to work or to do the job physically), and difficulty taking care of health and fitness and nutritional needs. Recognizing the specific problems of people with disabilities as a group, the United States has developed programs and legal protections to safeguard their interests and to include them in the mainstream of social life.

The world's first comprehensive civil rights law for people with disabilities came on July 26, 1990, when U.S. President George H. W. Bush signed into law the Americans with Disabilities Act (ADA). This landmark Act prohibits discrimination against people with disabilities in employment (Title I), in public services (Title II), in public accommodations (Title III) and in telecommunications (Title IV). The ADA's far-reaching reforms have played a significant role in enhancing the quality of life for millions of Americans who must overcome considerable challenges each day in order to participate fully in all aspects of American life. Apart from ADA, many other specific protections have been granted to these people by legislative tools like the Telecommunications Act of 1996, 1988 amendment of Fair Housing Act, Air Carrier Access Act of 1986, Voting Accessibility for the Elderly and Handicapped Act of 1984, National Voter Registration Act (also known as Motor

Voter Act) of 1993, Civil Rights of Institutionalized Persons Act (CRIPA) of 1980, Individuals with Disabilities Act (IDEA) (formerly called P.L. 94-142 or the Education for all Handicapped Children Act of 1975), Rehabilitation Act of 1973, Architectural Barriers Act (ABA) of 1968. All these Acts protect the interests of the disabled Americans in some way or the other and ensure that they are not discriminated in any way on grounds of their disability.

On July 25, 2008, on the occasion of the 18th anniversary of ADA, President George W. Bush called it one of the most successful civil rights laws in American history. He said it ensured that all Americans have an equal opportunity to realize their full potential. From the time of Franklin D. Roosevelt to the present, American political leaders have sought to guarantee that all Americans may live with dignity, work productively, and achieve dreams, irrespective of their disability status. President-elect Barack Obama also has ambitious plans ahead "to empower individuals with disabilities in order to equalize opportunities for all Americans." His acknowledgement of both disabled and not disabled Americans, in his winning remarks on November 05, 2008 from Chicago is itself an indicator of the fact that the 44th President of the United States is going to maintain the momentum set by the earlier Presidents towards addressing the special needs of people with disabilities.

At the international level, the United Nations Convention on the Rights of Persons with Disabilities, adopted on 13 December 2006 at the UN Headquarters in New York, was another big initiative. When the Convention was opened for signature on March 2007, it went on to record the highest number of signatories in the history of a UN Convention on its opening day - 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention. Numerous measures have also been taken at national levels by many countries around the world to provide relief to the disabled and to bring them into the mainstream.

However, despite all legal endeavors to ensure the best interests of people with disabilities, they are frequently subjected to various social discriminations from their peers. The segregation between 'normal' and 'disabled' needs to be approached more radically, perhaps defining disability with respect to certain tasks. For example, a person with a physical impairment of a leg would not be fit for running but he could still be a great scientist. This needs to be understood by every individual in the society, so that they can

come forward in bringing out the productive potential of those with restricted ability. A very encouraging step in this direction was the founding of Special Olympics in 1968 by Eunice Kennedy Shriver, sister of the late President John F. Kennedy. Today, it is providing the thrill of athletic competition to more than two million children and adults around the world with intellectual disabilities.

Segregation and discrimination based on disability has no rational justification, especially in light of the achievements they have recorded on the pages of history. One of the greatest historical achievements is that of Franklin D. Roosevelt, the 32nd President of the United States. Despite falling victim to poliomyelitis or polio as it is commonly known, Roosevelt not only went on to become the President of the United States but also guided America through its greatest foreign crisis, and, with the exception of the Civil War, its greatest domestic crisis. His four terms in office were unparalleled, not just in length but also in scope. Roosevelt's being a polio victim was however hidden from the public, and he was almost never photographed in his wheelchair.

In 1996, Sen. Robert Dole became the first person with a visible disability to run for President of the United States. On May 27 1998, Tom Whittaker, who lost his right foot and kneecap in a car accident in 1979, became the first disabled person to scale Mount Everest. In another example, actress Marlee Matlin, deaf since the age of 18 months, has made it to the top of her profession.

Clearly there is a need for a new perspective on disability, focusing not on the physical and mental challenges facing the disabled but rather on their potential contributions to society. With that new perspective as its starting point, this issue of *Article and Web Alert* presents articles that explore various legal and societal issues relating to disability.

For additional information, a webliography is presented here for your use. The inclusion of Internet sites other than those of the U.S. government should not be construed as an endorsement of the views contained therein. The websites are current as of their publication date and are subject to change at any time.

ABLEDATA
<http://www.abledata.com>

Alexander Graham Bell Association for the Deaf and Hard of Hearing
<http://www.agbell.org>

American Association of Adapted Sports Programs (AAASP)
<http://www.adaptedsports.org>

The American Association of People with Disabilities (AAPD)
<http://www.aapd-dc.org>

American Congress of Community Supports and Employment Services (ACCSES)
<http://www.accses.org>

American Council of the Blind
<http://www.acb.org>

American Foundation for the Blind
<http://www.afb.org>

Americans with Disabilities Act
<http://www.ada.gov>

The Arc (formerly Association for Retarded Citizens of the United States)
<http://www.thearc.org>

Association of University Centers on Disabilities (AUCD)
<http://www.aucd.org>

Best Buddies
<http://www.bestbuddies.org>

Center on Human Policy, Law, and Disability Studies (CHPLDS)
<http://disabilitystudies.syr.edu/>

Centers for Disease Control and Prevention - Disabilities
<http://www.cdc.gov/ncbddd/disabilities.htm>

Deaf Initiative in Information Technology (DIIT)
<http://www.rit.edu/ntid/ics/diit/index.html>

Disability Preparedness Resource Center
<http://www.disabilitypreparedness.gov>

Disability Resources, Inc.
<http://www.disabilityresources.org>

The Disability Rights and Independent Living Movement
<http://bancroft.berkeley.edu/collections/drilm/>

Disability Rights Office
<http://www.fcc.gov/cgb/dro/>

Disability Statistics Center
<http://dsc.ucsf.edu>

Disability Studies Quarterly (DSQ)
<http://www.dsqsds.org>

DisabilityInfo.gov -- Disability related information and resources from the Federal Government
www.disabilityinfo.gov

Disabled American Veterans (DAV)
<http://www.dav.org>

Disabled Sports USA
<http://www.dsusa.org>

Easter Seals
<http://www.easterseals.com>

eJournal USA -- Disability and Ability
<http://usinfo.state.gov/journals/itsv/1106/ijse/ijse1106.htm>

Equal Employment Opportunity Commission (EEOC)
<http://www.eeoc.gov>

Federal Employment of People with Disabilities
<http://www.opm.gov/DISABILITY/>

Independence, Inc.: Independent Living Resource Center
<http://www.independenceinc.org>

Independent Living Centers (ILCs)
<http://www.ilusa.com/links/ilcenters.htm>

Institute for Human Centered Design (formerly Adaptive Environments)
<http://www.adaptenv.org>

Job Accommodation Network
<http://www.jan.wvu.edu>

Massachusetts Office on Disability (MOD)
<http://www.mass.gov/mod/>

Mobility International USA
<http://www.miusa.org>

National Association of the Deaf (NAD)
<http://www.nad.org>

National Clearinghouse on Disability and Exchange (NCDE)
<http://www.miusa.org/ncde>

National Coalition for Disability Rights (NCDR)
<http://www.ncdr.org>

National Council on Disability
<http://www.ncd.gov>

National Disability Rights Network (NDRN)
<http://www.napas.org>

National Dissemination Center for Children with Disabilities
<http://www.nichcy.org>

National Federation of the Blind
<http://www.nfb.org>

National Library Service for the Blind and Physically Handicapped (NLS)
<http://www.loc.gov/nls/index.html>

National Organization on Disability (NOD)
<http://www.nod.org>

Paralyzed Veterans of America
<http://www.pva.org>

Population Profile of the United States
<http://www.census.gov/population/www/pop-profile/disabil.html>

Social Security Online -- Benefits for People with Disabilities
<http://www.ssa.gov/disability/>

Special Olympics
<http://www.specialolympics.org>

TASH (formerly the Association for the Severely Handicapped)
<http://www.tash.org>

TDI (Telecommunications for the Deaf and Hard of Hearing, Inc.)
<http://www.tdi-online.org>

Through the Looking Glass (TLG)
<http://lookingglass.org>

U.S. Census Bureau -- Disability
<http://www.census.gov/hhes/www/disability/disability.html>

U.S. Department of Education -- Office of Special Education and Rehabilitative Services (OSERS)
<http://www.ed.gov/about/offices/list/osers/index.html?src=oc>

U.S. Department of Health & Human Services -- Office on Disability
<http://www.hhs.gov/od/>

U.S. Department of Housing and Urban Development -- People with Disabilities
<http://www.hud.gov/groups/disabilities.cfm>

U.S. Department of Labor -- Office of Disability Employment Policy
<http://www.dol.gov/odep/>

United Cerebral Palsy (UCP)
<http://www.ucp.org>

United Nations -- Promoting the Rights of Persons with Disabilities
<http://www.un.org/disabilities>

United Spinal Association
<http://www.unitedspinal.org>

VSA arts
<http://www.vsarts.org>

Whirlwind Wheelchair International (WWI)
<http://www.whirlwindwheelchair.org>

World Institute on Disability (WID)
<http://www.wid.org>

1. ADOLESCENT GIRLS' INVOLVEMENT IN DISABILITY SPORT: A COMPARISON OF SOCIAL SUPPORT MECHANISMS

By Denise M. Anderson, Angela Wozencroft and Leandra A. Bedini. Journal of Leisure Research, v. 40, no. 2, Second Quarter 2008, pp. 183-207.

Women and girls with disabilities are often subjected to both social and psychological trauma - first on ground of their gender and second on that of being disabled. This study examines the social machinery and obstacles in the way of disabled girls' participation in sport. It examines the differences in social support received by girls with disabilities who did and did not participate in organized wheelchair sport programs. Further, it explores the relationship between social support and outcomes tied to wheelchair sport participation through semi-structured interviews. The study reveals multiple differences in social support mechanisms for girls who are and who are not involved in wheelchair sport programs.

2. ADULTS WITH LEARNING DISABILITIES AND THE UNDERUTILIZATION OF THE AMERICANS WITH DISABILITIES ACT

By Lynda A Price, Paul J Gerber and Robert Mulligan. Remedial and Special Education, v. 28, no. 6, November/December 2007, pp. 340-344.

Since the full implementation of Americans with Disabilities Act (ADA) in 1992, it has not yet achieved its intended potential and continues to be underutilized. This article specifically focuses on this underutilization of the ADA, more specifically by the individuals with learning disabilities. Currently, ADA has not been able to achieve its targeted impact. People with learning disabilities have not benefited in true essence from the ADA legislation. A review of the extant literature indicated that people with learning disabilities were not likely to use the ADA as employees. The article further explores the possible ways in which utilization of ADA by those with learning disabilities could be optimized.

3. THE AMERICANS WITH DISABILITIES ACT (ADA): THE DEFINITION OF DISABILITY

By Nancy Lee Jones. CRS Report for Congress, March 09, 2006, 11 p.

A primary and one of the most important issues in any Americans with Disabilities Act (ADA) case is to establish whether the individual alleging discrimination is an individual

with a disability. The Supreme Court in the landmark decision of Sutton v. United Air Lines examined the definition of disability used in the ADA and found that the determination of whether an individual is disabled should be made with reference to measures that mitigate the individual's impairment. This holding and related ones in other Supreme Court decisions have spawned new issues regarding the definition of disability in recent lower court cases. This report briefly discusses the Supreme Court's opinions and analyzes how the lower courts have interpreted the Supreme Court's holdings.

4. BEGGING THE QUESTION: DISABILITY, MENDICANCY, SPEECH AND THE LAW

By Susan Schweik. Narrative; v. 15, no. 1, January 2007, pp. 58-70.

This case study takes stock of the disability rights in the United States and analyzes various court cases highlighting the demand of the disabled people to reconsider the legal framing of their bodies and voices in American begging law. Begging and disability have long been closely associated. The author stresses that the twentieth century disability rights movement formed itself to a significant extent by developing narrative alternatives to and repudiations of the dynamics of mendicancy. The stories included in this case study about disabled beggars in the American courts have profound consequences on general understanding of the social, cultural and legal position of all disabled people in the post-ADA era.

5. DANCE OF DISABILITY AND SPIRITUALITY

By Boni Boswell, et al. Journal of Rehabilitation, v. 73, no. 4, October-December 2007, pp. 33-40.

An interdisciplinary team of five researchers analyzes the data gathered by in-depth interviewing of thirteen adults with physical disabilities to explore how the adults with disabilities perceive the interaction of spirituality and disability in their lives. The interaction of spirituality and disability is unfolded in the lives of these participants as a dance in which both partners influenced the direction and rhythm of the steps. The major findings surfaced up as five major themes – purpose, awareness, connections, creativity, and acceptance. These findings are discussed in respect to the health-related literature and the implications are seen in the light of the rehabilitation process.

6. THE DISABILITIES CONVENTION: HUMAN RIGHTS OF PERSONS WITH DISABILITIES OR DISABILITY RIGHTS?

By Frédéric Mégret. *Human Rights Quarterly*, v. 30, no. 2; May 2008, pp. 494-516.

Looking at the United Nations Convention on the Rights of Persons with Disabilities from a slightly different angle, this article seeks to inquire about some of the changes the Convention portends for the idea of human rights itself. It identifies the emergence of an international rights regime tailored to persons of disabilities referred to as "pluralization of human rights." The convention is a significant attempt to creating new rights and it gives a new perspective to seeing common rights. As per the author, "the Convention is more of a rights Convention than a disability treaty, except that it tinkers very substantially with the scope of existing rights and is constantly testing their limitations." The Disabilities Convention teaches some interesting lessons about human rights, especially about the universality of these rights and at the same time taking into account the irreducibility of the experience of certain categories of persons.

7. "EVERY PICTURE TELLS A STORY, DON'T IT?": THE COMPLEX ROLE OF NARRATIVES IN DISABILITY CASES.

By Robert D. Dinerstein. *Narrative*; v. 15, no. 1, January 2007, pp. 40-57.

This essay discusses the role of disability narratives in litigation. It begins with some general observations about the nature of disability litigation narratives, the barriers to narrative coherence created by the opacity of courts, especially the Supreme Court, and finally concludes with the possibilities that narratives can present for expansion of rights of people with disabilities. It also points towards the need to construct, present, and re-shape the narratives about disability in the litigation context, so that greater benefits could be brought to the people with disabilities.

8. IMPAIRMENT AND DISABILITY EVALUATION: THE ROLE OF THE FAMILY PHYSICIAN

By Oyeboade A. Taiwo, Linda Cantley and Mark Schroeder. *American Family Physician*, v. 77, no. 12, June 15, 2008, 1689-1694.
<http://www.aafp.org/afp/20080615/1689.pdf>

This paper discusses the role of family physicians in assessment of impairment and disability of the disabled persons. The family physicians play a vital role in such evaluations. The context in which family physicians need to evaluate persons with disability varies

widely and may range from a person's job application, to determining benefits under an entitlement program, or for legal proceedings. Therefore, the role of physicians becomes very important and they need to identify the third party making the request, delineate issues to be addressed, and determine his or her role. Generally, the information gathered for a disability evaluation is used by non-medical professionals. Hence, the results of the impairment evaluation need to be communicated in clear, simple terms to non-medical professionals representing the benefit systems.

9. INVISIBLE DISABILITY DISCLOSURE IN AN EMPLOYMENT INTERVIEW: IMPACT ON EMPLOYERS' HIRING DECISIONS AND VIEWS OF EMPLOYABILITY

Rebecca Spirito Dalgin and James Bellini. *Rehabilitation Counseling Bulletin*, v. 52, no. 1, October 2008; pp. 6-15.

People with disabilities often face the frustrating barrier to full community participation in American society. Focusing on the employability of disabled people in the society reveals an alarmingly high unemployment rate for people with disability when compared to their counterparts without disability. An experimental study involving sixty potential employers, who were asked to rate the employability of a potential candidate based on a short interview vignette, indicates a significant effect for disability type rather than the extent of disclosure. Employers' rating for a candidate with physical disability was better than that of a candidate with psychiatric disability. Implication of this study is far reaching. It provides insight into the effects of disclosing an invisible disability, which might adversely impact their employment potential.

10. MATERIAL HARDSHIP IN U.S. FAMILIES RAISING CHILDREN WITH DISABILITIES

By Susan L Parish, et al. *Exceptional Children*, v. 75, no. 1, Fall 2008, pp. 71-92.

This article explores the pervasiveness of material hardship among children with disabilities and their families and the extent to which the federal poverty level accurately describes material hardship in families raising children with disabilities. Material hardship incorporates food insecurity, housing instability, health care access, and telephone disconnection. The research indicated that families of children with disabilities experienced significantly greater hardship in comparison with that of the other families. It also showed that with the rise of family income above federal poverty level, the hardship declined

sharply for the families without disabilities in comparison to those raising children with disabilities. Thus, it rejects the U.S. federal poverty level as a sound predictor of hardship for families raising children with disabilities. Finally, it seeks to draw concerns of the practitioners, administrators, and policy makers towards the needs of the often overlooked low-income children with disabilities.

11. NARRATIVE, DISABILITY, AND IDENTITY

By David M. Engel and Frank W. Munger. *Narrative*; v. 15, no. 1, January 2007, pp. 85-94.

Built up on the life story narratives of Andrea Plachetzki and Al Tasker, whose backgrounds, disabilities and involvements with the law has similarity in many aspects, the authors explore why and how rights become active or fail to become active in the lives of the intended beneficiaries. They look into the relationship among the three conditions of their title – narrative, disability, and identity. Their research is based on an interview of a group of 60 men and women with disabilities. The authors are enthusiastic on establishing the relation between individuality and a subject's sense of legal rights. In this article, they have focused closely on Andrea Plachetzki and Al Tasker, whose interaction of narrative, disability and identity resulted in different results. The authors are optimistic that these results and the insights revealed from this research may direct policy concerns towards a more common yet subtle and complex pattern of disability rights.

12. THE SCOPE OF STATUTORY PERMISSIVENESS: PRIVATE ACTIONS TO ENFORCE SELF-EVALUATION AND TRANSITION PLANS UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT

By Casey R Fronk. *The University of Chicago Law Review*. v. 74, no. 4, Fall 2007, pp. 1345-1374.
http://lawreview.uchicago.edu/issues/archive/v74/74_4/Fronk.pdf

This article closely scrutinizes the implementing regulations of the Americans with Disabilities Act (ADA) focusing specifically on Title II. It proceeds in three parts. Part I discusses the origins and legislative history of ADA's Title II and its implementing regulations examining Sandoval's significant impact on the interpretation of Title II. Part II presents an analysis of circuit split and determines how both sides of the split have adopted an incorrect method of statutory interpretation. Part III thoroughly analyzes Title II and applies a contextual framework to Title II and its implementing regulations, arguing that its broadly worded text and legislative con-

text evidence congressional intent to create a private right of action to penalize noncompliance with Title II's transition plan and self-evaluation plan regulations.

13. STUDENTS WITH PSYCHIATRIC DISABILITIES IN HIGHER EDUCATION SETTINGS: THE AMERICANS WITH DISABILITIES ACT AND BEYOND

By Sharlene A. Kiuhara and Dixie S. Huefner. *Journal of Disability Policy Studies*, v. 19, no. 2, September 2008, pp. 103-113.

This article addresses the numerous challenges faced by American college students with psychiatric disabilities. Although the Americans with Disabilities Act (ADA) of 1990 seeks to provide several benefits to college students with psychiatric disabilities, it sometimes ends up being more harmful than helpful. In order to take advantage of ADA in colleges, young adult students with disabilities have to disclose their disability to the college administrator and instructors. This often means subjecting themselves to be treated differently as being not normal, leading to undesirable social discrimination. Judicial rulings are not the sole solution to this problem. We need to look beyond legal framework to bring about a cultural shift in how psychiatric disabilities are viewed.

14. TEACHING PRETEND PLAY TO CHILDREN WITH DISABILITIES: A REVIEW OF THE LITERATURE

By Erin E Barton and Mark Wolery. *Topics in Early Childhood Special Education*, v. 28, no. 2, August 2008, pp. 109-125.

Barton and Wolery analyze literature regarding interventions for promoting pretend play in children with disabilities. Pretend play provides children with skills to access their environment and engage with peers. The purpose of their study was to review play studies systematically to identify effective strategies for teaching pretend play to preschoolers with disabilities for eventual translation into curricula. Their study revealed inconsistencies in the defining pretend play and demonstrated a relation between pretense behaviors and adult modeling and prompting.

15. UNDOING HARDSHIP: LIFE WRITING AND DISABILITY LAW

By G. Thomas Couser. *Narrative*; v. 15, no. 1, January 2007, pp. 71-84.

In this essay, the author discusses the relation between personal narrative of disability, cultural narrative and law of taxonomy in the United States. Personal and cultural narratives often anticipate legal

developments and seek confirmation in the law but in the process they also risk disconfirmation. Further, it also has a hypothetical relation to the law and is tacitly informed by the law. The author talks about the anticipatory relation between narrative and disability law and asserts that the personal testimony exhibits both the lack of, as well as need for disability rights laws.

BUSINESS & ECONOMICS

16. BIOFUELS, NEITHER SAVIOUR NOR SCAM: THE CASE FOR A SELECTIVE STRATEGY

By Suzanne Hunt. *World Policy Journal*, v. 25, no. 1, Spring 2008, pp. 9-17.

Hunt, an independent consultant to the U.S. Energy Department, weighs carefully the advantages and disadvantages of biofuels, both oversimplified in a debate about their potential role in addressing energy needs and climate change. She tends to agree with the view that biofuels produced from food crops have little influence on grain prices. She treads more carefully on the issue of net energy benefits. According to several studies, the production and use of virtually all biofuels produced today will lead to a net increase in greenhouse gas emissions. Hunt cautions, however, that such assessments are very complex. The production and use of biofuels is associated with trade-offs and risks but also with opportunities. Dealing rationally with this energy source requires developing effective safeguards against the risks and capitalizing on the opportunities, she says. For example, she views international cooperation and international biofuel standards as very important. The primary concern is that, without them "a biofuels free-for-all could develop that would pay little regard to sustainability and environmental concerns," she notes. Also, it is important to consider biofuels in a broader context of agriculture-related climate-change mitigation efforts. She concludes that more sustainable farm practices can help ensure that both future biofuels and agriculture meet sustainability targets.

17. EXPONENTIAL MONEY IN A FINITE WORLD

By Chris Martenson. *Vermont Commons*, no. 25, Fall 2008.

<http://www.chrismartenson.com/martensoureport/exponential-money-finite-world>

The author, a scientist by training and former vice-president of a Fortune 300 company, writes that in the next two decades, "the most profound changes in all of economic history will sweep the globe",

and that what the world financial system is experiencing now is just the beginning of a long, difficult period of adjustment. Martenson notes that the fundamental and fatal flaw of the current monetary system is that it must continually expand forever, a textbook example of an exponential system. However, it was designed and implemented at a time when the earth's resources seemed limitless, so "few gave much critical thought to the implications that every single dollar in circulation was to be loaned into existence by a bank with interest." He notes that the U.S. did not create its first trillion dollars in money stock until 1973. The money supply and the amount of credit and debt started to increase dramatically after the abandonment of gold settlement in 1971; the most recent trillion dollars was created in only 4.5 months. What we are approaching now, Martenson says, is the near-vertical phase in the exponential growth of money and debt, which is bumping up against real-world limits of energy, food, fresh water, mineral resources and farmland. He concludes that "our choices now are to either evolve a new economic model that is compatible with limited physical resources, or risk a catastrophic failure of our monetary system and with it the basis for civilization as we know it today ... because our economic model and our entire system of money enforce a doctrine of limitless growth, they have become anachronisms incompatible with the well-being of the planet on which we live and depend."

18. FARMER IN CHIEF

By Michael Pollan. *New York Times Magazine*, October 12, 2008, pp. 62-71, 92.

<http://www.nytimes.com/2008/10/12/magazine/12policy-t.html>

In an article framed as a letter to the President-elect, the author notes that food, an issue barely mentioned during the election campaign, may become a primary issue facing the next administration. While both candidates spent a lot of time talking about health care, energy independence and climate change, Pollan notes that the next President will quickly discover that the way food is currently grown, processed and eaten in America goes to the heart of all three problems. Food production, processing and distribution in the U.S. is one of the biggest consumers of fossil fuels, using ten calories of hydrocarbon energy to bring one calorie of food energy from the farm to the supermarket. The goals of food production for most of the last few decades have been to produce large quantities of cheap, subsidized commodity crops, used in heavily processed convenience foods, contributing to the poor diet of most Americans. Pollan notes that the main challenge is to wean U.S. food production off fossil fuels and back onto "incoming sunlight" by relocating agriculture.

INTERNATIONAL POLITICAL RELATIONS & SECURITY

19. CHINA THROUGH ARAB EYES: AMERICAN INFLUENCE IN THE MIDDLE EAST

By Chris Zambelis and Brandon Gentry. *Parameters*, v. 38, no. 1, Spring 2008, pp. 60-72.
<http://www.carlisle.army.mil/usawc/Parameters/08spring/zambelis.htm>

Gentry and Zambelis, both Associates with the political and security risk analysis firm Helios Global, Inc., focus on the influence of the U.S. in the Middle East. This influence is currently being challenged by China, as Beijing skillfully exploits Arab dissatisfaction with American policies. Sino-Arab relations are poised to develop and expand across social, political, economic, and cultural sectors. Washington cannot afford to ignore the unavoidable truth of the Arab world's growing interest in China's potential.

20. COMING SOON: A CRISIS IN CIVIL-MILITARY RELATIONS

By Richard H. Kohn. *World Affairs*, v. 170, no. 3, Winter 2008, pp. 69-80.

The author, a professor of History and Peace, War, and Defense at the University of North Carolina at Chapel Hill, writes that the next U.S. President will face a fallout in relations between the armed forces and the civilian leadership almost as bad as the crisis that nearly sank the Clinton administration in 1993. The military leadership has become deeply suspicious of the civilian political class, for many reasons, including the bungled Iraq occupation, dislike of former Defense Secretary Rumsfeld, an overstretched Army and Marine Corps, and the absence of offspring of the elites in military ranks. Unsustainable military budgets, the mismatch between current threats and a Cold-War-era military structure, and social issues, such as gays in the military and the spread of evangelical Christianity in the ranks will add to the tensions facing the next administration. The author urges the next President to appoint a Secretary of Defense who is knowledgeable and politically skilled, insulate the military from partisan politics and make frequent visits to military bases to help mend frayed relations.

21. MAKING INTERVENTION WORK: IMPROVING THE UN'S ABILITY TO ACT

By Morton Abramowitz and Thomas Pickering. *Foreign Affairs*, v. 87, no. 5, September/October 2008, pp. 100-109.

The United Nations must streamline its decision-making process, if the organization ever hopes to transform its ideals into actions, argue two former U.S. ambassadors. Grave crises in Burma and Sudan show that authoritarian leaders do not respond to international condemnation and that sanctions often have little impact on regime leaders. The authors point to UN reform reports underlining the importance of creating a UN "rapid reaction force," closer coordination with nongovernmental humanitarian organizations, and more robust UN diplomacy. But while institutional change is essential, so too will be the daunting challenges of convincing China and Russia – as well as skeptical legislators – in the United States and Europe to take action.

22. STABILIZATION AND DEMOCRATIZATION: RENEWING THE TRANSATLANTIC ALLIANCE

By Zachary Selden. *Parameters*, v. 37, no. 4, Winter 2007/2008, pp. 85-98.

Selden, assistant professor of political science at the University of Florida, argues that it is time for the North Atlantic Treaty Organization (NATO) to recast its mission. The original mission of the transatlantic alliance disappeared fifteen years ago, and it should now be transformed to make it capable of performing the stabilization and democratization missions that will likely be required in the coming decades. The alliance must take advantage of the nonmilitary capabilities that Europe has to offer, reforming NATO on a more balanced basis while countering emerging threats to mutual security.

DEMOCRACY & HUMAN RIGHTS

23. HOW TO GROW A GANG

By Matthew Quirk. *Atlantic Monthly*, v. 301, no. 4, May 2008, pp. 24-25.

By deporting record numbers of Latino criminals, the U.S. may make its gang problem worse, says Quirk, staff editor at *The Atlantic Monthly*. Using the Salvadoran gang MS-13 as an example, Quirk notes that Salvadoran police report that 90 percent of deported gang members return to the United States, and many use their free trip

south to bring others back with them upon their return. As a result, MS-13 members now control many of the "coyote" services that bring undocumented immigrants up from Central America. Those "free trips" are increasing, although not all of the travelers are gang members. During 2006 and 2007, the number of deportation proceedings jumped from 64,000 to 164,000. This year, it is expected to hit 200,000, an all-time high. Quirk recommends anti-gang intervention programs and lengthy American prison sentences as the more effective means for dealing with Latino gangs.

24. THE VERDICT ON JURIES

By Valerie Hans. *Judicature*, v. 91, no. 5, March-April 2008, pp. 226-230.
http://www.ajs.org/ajs/publications/Judicature_PDFs/915/Hans_915.pdf

After surveying nearly 50 years of research studies, Hans and Vidmar, law professors at Cornell and Duke universities respectively, conclude that judges agree with jury verdicts in most cases. Juries carefully weigh evidence and deliberate in substantive discussions about the finer points of the cases. Juries are more diverse, minorities are represented more fully on juries than within the judiciary. Judges who run for re-election might also be predisposed to look favorably at litigants who were campaign contributors. The authors recommend clearer written jury instructions, allowing jurors to ask witnesses questions and other changes to trials. Citizen participation in legal decision-making has positive carryover effects. After serving on a jury, jurors are more likely to vote than the rest of the population. Former Soviet republics and other countries are introducing or reintroducing the jury into their legal systems.

COMMUNICATION & INFORMATION

25. THE BIGGER TENT

By Ann Cooper. *Columbia Journalism Review*, v. 47, no. 3, September/October 2008, pp. 45-47.
http://www.cjr.org/essay/the_bigger_tent_1.php

The question of "who is a journalist" is a thing of the past, with bloggers, amateur videographers, and others now widely recognized as falling within the "big tent" of mainstream journalism. The author says barriers will continue to erode, and while more traditional journalists are adopting the less formal blogs along with news aggregates, the bloggers are also doing some original reporting,

along with disseminating news and opinion. The better question now is "what is journalism"; the author says the best of both worlds can be combined for the good of the public. "Old media will have to let go of some attitudes and assumptions that are no longer relevant, and new media will need to recognize standards that can infuse credibility and trust into this new journalism," she says. The goal of the fourth estate to hold power accountable, inform the citizenry and strengthen democracy still remains intact in this new age of journalism, she argues.

26. CABLE'S CLOUT

By Paul Farhi. *American Journalism Review*, v. 30, no. 4, August/September 2008, pp. 18-23.
<http://www.ajr.org/Article.asp?id=4574>

Repetition and prominence, not the ability to break news, give cable news television an enormous amount of clout, says Washington Post reporter Farhi. Using the example of the story of the Rev. Jeremiah Wright and Barack Obama's responses to stories about his controversial minister, Farhi argues that "few campaign stories have much impact or become an important part of the campaign narrative until they get heavy play on cable." The ability to function as "an engine of reaction and response" is cable television's greatest means for influence. "Cable's intense and often immediate coverage of the day's big controversy forces candidates to fire back, which then compels the rest of the media to cover the response," Farhi says. Whether they like to admit it or not, print media reporters are forced to consider addressing stories, thanks to cable television, enough people are talking about it.

GLOBAL ISSUES

27. SEA OF TRASH

By Donovan Hohn. *New York Times Magazine*, June 22, 2008, pp. 40-45.

The author writes that the world's oceans are filling up with enormous quantities of plastic debris, much of it accumulating in subtropical "convergence zones" or brought in by the ocean currents on beaches thousands of miles away. The article features a nonprofit group in Alaska that conducts cleanups of remote beaches, collecting thousands of pounds of trash at a time, and a U.S. federal government effort to clean up the waters off the Northwest Hawaiian Islands, that are at the edge of the North Pacific

Subtropical Gyre, where a flotilla of plastic trash the size of the state of Texas has been accumulating. All involved in the remediation efforts concede that cleanups will not make the problem go away; the only real solution is to reduce the consumption of disposable plastic containers, which would require fundamental change by individuals, corporations and governments worldwide. The author notes, plastic "is a powerful bellwether of our impact upon the Earth" - not only are millions of marine and sea-going animals killed or maimed by ingesting or becoming entangled in plastic, but plastic polymers do not biodegrade, they merely break down into smaller and smaller fragments, they act as magnets for toxic organic compounds, and are entering the food chain.

28. STRENGTHENING GLOBAL WATER INITIATIVE

By Robert G. Varady, et al. *Environment*, v. 50, no. 2, March/April 2008, pp. 19-31.

The growing global shortage of clean fresh water is one of the most serious environmental issues facing the world today, say these authors. They analyze the global initiatives that have been at work for decades to resolve water issues, and suggest ways to improve them. "Proficient at their best and weak and corrupt at their worst, the systems that govern the planning and management of water resources need attention," the authors write. A 2004 survey of water experts found overlap of purpose, proliferation of organizations, and imprecision of goals to be major problems in this network of organizations that operate regionally and globally to attempt to provide some solutions for water problems. They suggest several means by which these organizations might attempt to address these inefficiencies, even while admitting that the initiatives "elude easy evaluation." Still, the authors credit these global water initiatives with providing important assistance to nation-states contending with local water issues.

U.S. SOCIETY, VALUES & POLITICS

29. FOUR FOR A QUARTER

By Kenneth R Fletcher. *Smithsonian*, v. 39, no. 6, September 2008, pp. 80-85.

The photobooth, first introduced in the 1920s in New York City, proved to be immediately popular; people thronged to pay 25 cents for a strip of eight photos. By the 1950s, photobooths were ubiquitous, having spread across the country and overseas. The

author profiles photographer Nakki Goranin, who has spent a decade researching the history of photobooths and collecting photo strips. Few of the old chemical-process booths are still around, having been replaced with digital booths. Goranin says that photobooth strips "tell so much about the country and what we've gone through" - because there is no photographer to intimidate the subject, people tend to be much less self-conscious in the photobooth. Says Goranin, "for many people, these were the only photos of themselves that they had."

30. A LIBERAL SHOCK DOCTRINE

By Rick Perlstein. *American Prospect*, v. 19, no. 9, September 2008, pp. 22-24, 26.

The author, a senior fellow at the Campaign for America's Future, believes that progressive political change in American history is rarely incremental. History continues to teach us that presidents have to move quickly to enact progressive reforms before the opportunities escape them. With few exceptions, most of the reforms (such as Social Security, Medicare, desegregation) that have advanced America's status as a modern, liberalizing social democracy were pushed through in such circumstances. The post-Civil War reconstruction of the South, the Progressive Era remaking of democratic institutions, the New Deal, and the Great Society, were all blunt shocks that required immediate decision-making, a course of action that the White House's most effective occupants have always understood. Franklin D. Roosevelt "hurled down executive orders and legislative proposals like thunderbolts" during his First Hundred Days, hardly slowing down for another four years; Lyndon Johnson, aided by sympathy generated by John F. Kennedy's death and the landslide of 1964, generated legislation at such a breakneck pace that even his aides were awestruck.

31. LIBRARIES CONNECT COMMUNITIES

By Peggy Barber and Linda Wallace. *American Libraries*, v. 39, no. 9, October 2008, pp. 52-55.

The authors, cofounders of the Chicago-based consulting firm Library Communication Strategies, produce the Public Library Funding and Technology Access Study, which provides data and insights to help libraries and library staff strengthen their advocacy efforts and market themselves more effectively. Now in its second year, the study documents the proliferation of information technology in American libraries and gathers the available data on technology expenditures. Even before the latest economic downturn, most directors anticipated flat or declining revenues due to growing resistance

to taxes and government budget deficits. The authors confirm that many American libraries are increasingly turning to grants, fundraising, and gifts to supplement public financing. Not surprisingly, people at libraries with newer computers expressed a high level of satisfaction with their experience – but so did users at less well-equipped libraries. People in poorer communities focused more on economics, while users in more affluent areas talked more about education and research and the library as a quiet, convenient place to go. From 1996 to 2000, the number of libraries in the United States offering public-access computing went from 28 to 95 percent.

SCIENCE & TECHNOLOGY

32. HOOKED FROM THE FIRST CIGARETTE

By Joseph R. DiFranza. *Scientific American*, v. 298, no. 5, May 2008, pp. 82-87.
<http://www.sciam.com/article.cfm?id=hooked-from-the-first-cigarette>

New research has overturned the traditional assumption that cigarette addiction takes years to develop. Studies of adolescent smokers show that symptoms of addiction, such as withdrawal, craving for cigarettes and failed attempts at quitting, can appear within the first weeks of smoking. To account for these findings, the author and his colleagues developed a new theory that the brain quickly develops adaptations that counter the effects of nicotine. The adaptations lead to withdrawal symptoms when the effects of nicotine wear off. The results highlight the importance of boosting funding for antismoking campaigns, particularly those aimed at youngsters.

33. NO-TILL: HOW FARMERS ARE SAVING THE SOIL BY PARKING THEIR PLOWS

By David R. Huggins and John P. Reganold. *Scientific American*, v. 299, no. 1, July 2008, pp. 70-77.
<http://www.sciam.com/article.cfm?id=no-till>

The age-old practice of turning the soil before planting a new crop is a leading cause of farmland degradation. Many farmers are looking to make plowing a thing of the past. Conventional plow-based farming leaves soil vulnerable to erosion and promotes agricultural runoff. Growers in some parts of the world are turning to a sustainable approach called no-till that minimizes soil disturbance. High equipment costs and a steep learning curve are two factors hindering widespread adoption of no-till practices.

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